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Financial

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In re:	)	
	)	Case No. 19-18069(CMG)
RICHARD HABERSTROH	)	
	)	Chapter 13
	)	
	)	Hearing Date: 6-19-19
	)	
	)	<b><u>OBJECTION TO CONFIRMATION</u></b>
	)	

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AmeriCredit Financial Services, Inc., dba GM Financial, ("GM Financial") a secured creditor of the Debtor, objects to the Debtor's plan for the following reasons:

- a. **PLAN SILENT:** GM Financial holds a first purchase money security interest encumbering a 2012 NISSAN ALTIMA owned by the debtor and non-filing co-debtor, Claudia Haberstroh. The plan is silent and makes no mention of debtor's loan with GM Financial. The plan should be amended to pay GM Financial is unaffected by the plan and is being paid outside the plan by the debtor.
- b. **Proof of insurance:** The vehicle must be insured with comprehensive and collision insurance coverage and liability coverage in accordance with the requirements contained in the contract. GM Financial must be listed

as loss payee or additional insured. **The Debtors must provide GM Financial with proof that the vehicle is insured in accordance with §1326(a)(4) and this portion of the objection to confirmation should be considered a demand that the Debtors provide proof of insurance.**

c. **Lien retention:** Since the vehicle is titled in the names of the debtor and non-filing co-debtor, Claudia Haberstroh, all references to lien release in the plan should be stricken. GM Financial must retain its lien on the vehicle following confirmation, until it is paid in accordance with the terms of the retail installment contract encumbering the vehicle.

/s/ John R. Morton, Jr.

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John R. Morton, Jr., attorney for  
AmeriCredit Financial Services, Inc.,  
dba GM Financial

Date: 6-10-19